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MONTANA
COUNCIL ON
CRIMINAL JUSTICE
STANDARDS AND GOALS

MONTANA JUSTICE PROJECT NEWS

1336 HELENA AVENUE
HELENA, MONTANA 59601
(406) 449-3811

NCJRS
NOV 1975

VOLUME ONE NUMBER ONE EDITED BY BILL YAEGER LAYOUT: KAREN SEDLOCK

The Montana Justice Project (formerly known as the Montana Council on Criminal Justice Standards and Goals) is a two-year study of our state's criminal justice system. It is funded by a grant of $445,170 from the Law Enforcement Assistance Administration to the Montana Board of Crime Control. The project will determine standards and goals for improvement in five areas: law enforcement, courts, corrections, information systems and community crime prevention. This newsletter will acquaint you with the fulltime folks working in the program. Subsequent issues will inform you on citizen participants and will keep you posted on progress of the Montana Justice Project.

MEET THE mJp

by Brinton B. Markle, Director

Phase I of the Montana Justice Project will end June 30, 1976. At that time, we expect to publish five task force reports which will contain standards and recommendations for the improvement of our criminal justice system. Phase II will begin immediately. The first priority of this phase is to develop and print a legislative manual containing proposed bills and amendments needed to implement standards developed by the five task forces. This document will be written specifically for the use of the Legislature and Legislative Council. It must be in print and distributed no later than Thanksgiving, 1976, if it is to be of any use to the 1977 Legislature.

The second priority of phase II will be to develop an overall view of crime and criminal justice in Montana, and to design a five-year prospectus for the implementation of standards. In addition, this volume will attempt to focus relevant standards on actual crime (such as a burglary or car theft) in an effort to reduce the occurance of crime.

As we begin to produce standards, it is important and necessary that you, individually, and as a member of any association, be informed of the standards so that you may respond to them. This newsletter will be one way of informing you of the standards being developed. I earnestly encourage your participation, comments and ideas.

(As those of you know who have worked with the criminal justice system in our state, Brint Markle has been working for its improvement for a long time. He's an attorney and was the first director of the Crime Control Commission, later to become the Crime Control Board. He left that post last June and became director of the Montana Justice Project in September.)

WE WANT YOUR HELP

by Chuck O'Reilly, Assistant Director

This is the first issue of what we hope will be a continuing thing. Our intentions in sending you this newsletter are to provide you with facts about what we are, what we hope to be able to do and what you can do to help us to help you. We want this newsletter to be strictly informal--yet informative. We will be giving you updates periodically on what each task force is doing. Undoubtedly, you will see many areas the task forces are discussing that you have a vital interest in. Send us your comments. Call us or attend our meetings when you can. Every resident of Montana--whether they are involved in public life or not--has pet peeves and complaints regarding the police, corrections or whatever, and we want to hear them. Without your help, there is no way we can be accurate in our decisions which will affect you. The Montana criminal justice system is <u>your</u> system, so help us try to improve it!

(The number two man at MJP is widely experienced in law enforcement. A graduate of the FBI's National Academy, he's a former Chief deputy in Lewis and Clark County, and has served as Assistant Director and Director of the Montana Law Enforcement Academy at Bozeman)

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COMMUNITY CRIME PREVENTION NEWS

by Pam Jones, Coordinator

The Community Crime Prevention Task Force is diverse in membership and ideas. Urban and rural environments are represented as well as different age groups, a variety of occupations and a wide spectrum of opinion.

Our task is a large one. What is "community crime prevention?" We have spent four months defining such a broad concept. Our activities include discussion, guest speakers and participation in various components of the criminal justice system. For instance, our February meeting was held at the Great Falls Police Department. We spent the afternoon touring the facilities and during the evening we rode along with the officers. Most of us rode for at least four hours (many stayed longer!) and were able to follow through an arrest by participating in the booking process. Task force members felt this type of experience to be valuable in helping them to understand law enforcement and how it related to the community.

Despite the difficulty of defining community crime prevention, we have agreed upon six goal areas. "Community Involvement" is our major goal area which describes what we think is the central problem behind effectively preventing crime in a community. The remaining five are subgoals because they will be addressed from the perspective of community involvement. These are:

1) Community Help Services
2) Educational Systems and Programs
3) Programs and Opportunities Providing Alternatives to Crime
4) Trust and Confidence in Institutions
5) Drug and Alcohol Abuse

Another area, Child Abuse, will be considered independently of those above.

Developing standards and goals has also been a challenge since we decided to write our own and use the National Advisory Commission book only as a resource.

(Pam is a Harlowton native and was raised on a ranch near there. She's a graduate of the University of Montana in Missoula with majors in English and Secondary Education. After teaching for a year in Hamilton, she prepared for this job by working for a year as a research assistant in the Department of Public Instruction.)

CORRECTIONS TASK FORCE NEWS

by Paul Spengler, Coordinator

The Corrections Task Force consists of 18 members who represent a cross section of Montana and the corrections system. We have adopted the National Advisory Commission Report on Corrections as a work plan and propose to review all of its 129 standards by early next year.

We've been meeting monthly since November and so far have passed 50 standards on:

1) Rights of Offenders
2) Diversion
3) Pretrial Release and Detention
4) Sentencing
5) Public Information
6) Classification of Offenders
7) Community Corrections

A public meeting was held in Helena during May on community corrections and another is planned for the evening of August 18th in Kalispell. We solicit as much public participation as possible in our deliberations and forums. We feel this is one way to discuss what we are doing.

June will take us into Juvenile Intake and Detention as well as Jails.

(Paul is a native of Chicago, Illinois, and is a former captain in the Air Force. A graduate of Bradley, he received his master's from the University of Montana in Missoula. Before coming to MJP, Paul worked with the Bearpaw Economic Development Corporation in Chinook)

POLICE TASK FORCE NEWS

by Rob Fulton, Coordinator

The Police Task Force is somewhat of a misnomer, as it is concerned with ALL law enforcement in Montana: sheriffs, Highway Patrol, etc., as well as police. The diversity of the task force membership is reflected in its members; five chiefs of police, four sheriffs, two criminal justice educators, a juvenile corrections counselor, a county commissioner and a mayor.

With a group such as this it wouldn't be too difficult to imagine a lot of conflict. But just the opposite is true. Dedication to the principle that all Montanans deserve not just "mediocre" or "adequate", but high quality, responsive law enforcement in their communities has produced a series of standards designed to produce positive results; beneficial not only to the citizens but the law enforcement profession as well. As of this writing, five goal areas have been subjected to intensive review and study. The resultant product: 25 standards pertaining to training, recruitment and selection, education, pay and classification, and planning and organizing, is as concise as package-tailored to Montana--as could ever be designed. The task force has been concerned from the beginning, not with quantity but with quality. Its concern is evidenced by its work.

(Rob was born and raised in San Francisco, California. He's a business administration graduate of the College of Notre Dame in Belmont, California. He was seasoned for this job by six years with the Palo Alto Police Department and he's a past president of the Palo Alto Peace Officer's Association)

INFORMATION SYSTEMS NEWS

by Bill Strizich, Coordinator

Nationwide, the criminal justice community is facing dramatic and rapid change. Though unique in its problems, Montana is indeed faced with the same trends toward improvement in the functioning of our entire criminal justice process.

For these reasons, the approach taken by the Information Systems Task Force has been one of looking to the future. With the advent of automation and systems concepts, the speed and ease with which large amounts of data may be stored and used has improved astronomically as the costs of such innovations are constantly spiraling downward. To deal with the phenomena of crime, these technological and conceptual innovations must be taken advantage of and used by Montana as tools in discovering the cause of crime.

To date, the Information Systems Task Force has been wrestling with the complex problems of Privacy and Security in the use of information systems. The task force has written eight standards outlining the basis and provisions for such protections. This was chosen for the first topic of discussion due to the overriding gravity of the subject of personal rights to privacy, which Justice Brandeis once called "the right most prized by civilized men."

Our last meeting was held on May 9 & 10 when the task force began developing its perspective on the subject of the state role in information systems and their development. The next meeting is scheduled for June 13 & 14 in Billings. Further pursuit of this subject will occur as standards begin to take their form in response to the needs of Montana as seen by the task force.

(Bill is a native of Black Eagle and a graduate of C.M. Russell High School in Great Falls. He holds a degree in Criminal Justice from Montana State University in Bozeman. While attending school he worked for the Cascade County Sheriff's Office in the area of community relations.

COURTS TASK FORCE NEWS

by Mike Abley, Coordinator

Since our first meeting in February, the Courts Task Force has discussed and set standards for screening persons from the criminal justice process, diverting certain offenders into other than correctional institutions and for court--community relations.

During the discussion of the latter, George Remington, publisher of Helena's Independent Record spoke on court--press relations--an important subject and one with a potential for becoming a real rock thrower. His remarks were frank enough to be meaningful and judicious enough to be well-received. In the discussion which followed, recommendations that he made were incorporated into the court-press relations standard.

The next subject to be discussed is even more controversial: Plea Bargaining. The makeup of the task force is such that all viewpoints on this topic should be adequately represented: police, prosecution, defense, citizens, corrections and the judiciary. Hopefully, the result will be standards generally acceptable to all.

(Mike was born in Sidney, Nebraska and raised in Wyoming and Montana. He's a graduate of Billings Central High and Carroll College and received his masters in administration of justice from the University of Southern Illinois. He has worked as a planner and coordinator for Helena's Model Cities, and as a coordinator of Regional Police Training in southern Illinois)

"that all might be informed..."

by Bill Yaeger, Information Officer

This job represents quite a change for me. I've served for several years as information officer for the Montana Army National Guard, but this is my first chance to do this kind of work fulltime.

I spent nearly 15 years in broadcase journalism, beginning with KXLO in Lewistown (my hometown) and ending in 1972 when I was in charge of news for the Intermountain Radio Network in Salt Lake City. During those years I also had the opportunity to serve as a "stringer" for both wire services and several of the state's major newspapers.

Because I'm most familiar with broadcasting, I chose that medium for our first campaign: a series of six radio spots calling for public input into MJP. We've also developed a pretty effective means of disseminating original-copy press releases, localized whenever possible with names of those involved for their hometown media. A television campaign is on the drawing board and a "Neighborhood Crime Watch Week" radio campaign featuring Governor Tom Judge and Attorney General Bob Woodahl will run during the first week in June. The efforts are now bringing the inquiries and suggestions we solicited.

We encourage those connected with the project to speak out publicly with their views. Don't forget to send along clippings you see in your local papers concerning MJP.

The remainder of the staff may be less visible than those you've just read about, but they perform a vital role in the success of the Montana Justice Project.

Loyce Dye is our office manager and handles the minutes for the Standards and Goals Council, Executive Committee and the Police and Information Systems Task Force. A Cut Bank native, she's a graduate of Kinman Business University in Spokane and recently completed Certified Professional Secretary training. Before coming to MJP, she worked for the Law Enforcement Academy, The Board of Crime Control and the State Commission on Local Government.

Karen Sedlock, a Sand Coulee native, takes the minutes for the Courts and Corrections Task Forces. She's a graduate of Dahl's Beauty College in Great Falls and worked as a beautician in that city for two years. After moving to Helena, she went into secretarial work with the Helena Credit Bureau. Thanks to Karen, we can, in just a couple of hours, blanket every broadcast station and newspaper in the state with original-copy press releases.

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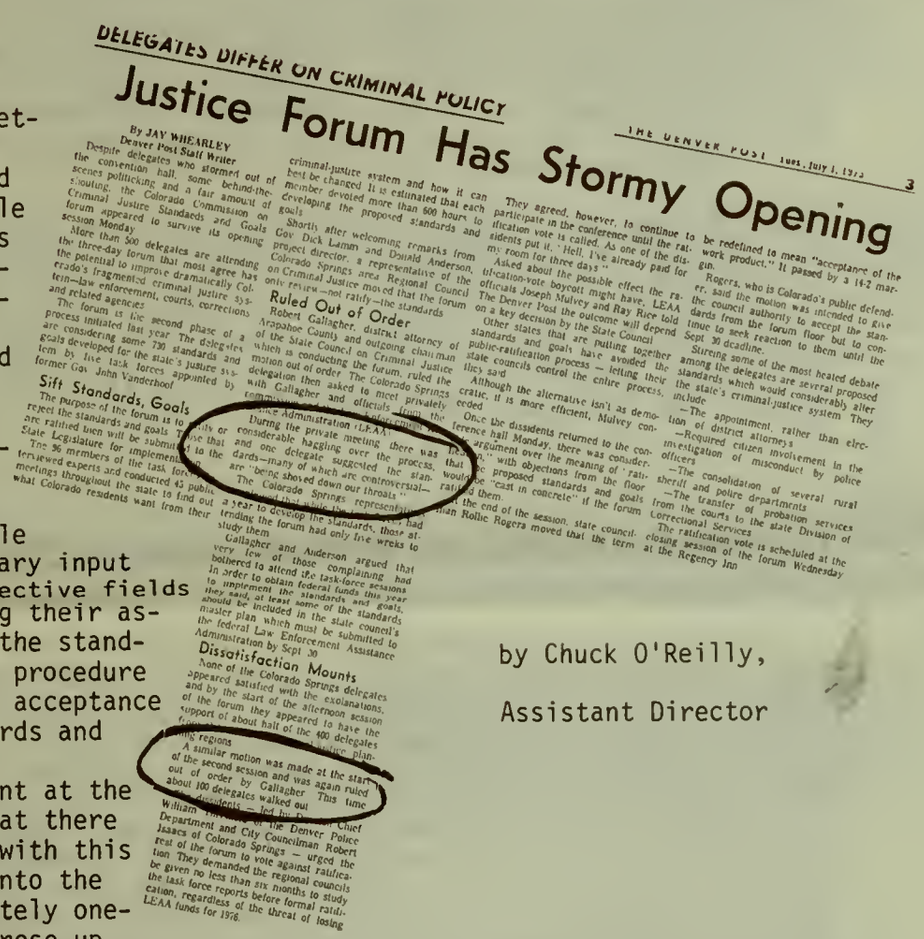
NOV . 1975

VOLUME ONE NUMBER TWO EDITED BY BILL YAEGER LAYOUT: KAREN SEDLOCK

We Don't Want It To Happen Here!

I recently attended the Colorado Ratifying Symposium on Criminal Justice Standards and Goals in Denver. This "get-together" was designed to acquaint the Colorado public and criminal justice systems people with those standards and goals that had been developed to improve Colorado's criminal justice system.

As a matter of background I might point out that Colorado's Standards and Goals Council was formed by appointing a cross segment of systems people and the public with the intention these people would each provide the necessary input and expertise from their respective fields of endeavor as well as keeping their associations fully informed of the standards and goals process. This procedure was designed to alleviate any acceptance problems of Colorado's standards and goals.



DELEGATES DIFFER ON CRIMINAL POLICY

Justice Forum Has Stormy Opening

THE DENVER POST Tues., July 1, 1975 3

By JAY WHEARLEY
Denver Post Staff Writer

Despite delegates who stormed out of the convention hall, some behind-the-scenes politicking and a fair amount of shouting, the Colorado Commission on Criminal Justice Standards and Goals forum appeared to survive its opening session Monday.

More than 500 delegates are attending the three-day forum that most agree has the potential to improve dramatically Colorado's fragmented criminal justice system—law enforcement, courts, corrections and related agencies.

The forum is the second phase of a process initiated last year. The delegates are considering some 730 standards and goals developed for the state's justice system by five task forces appointed by former Gov. John Vanderhoof.

Sift Standards, Goals

The purpose of the forum is to ... reject the standards and goals ... are ratified here will be submitted ... State Legislature for implementation ... The 96 members of the task forces ... reviewed experts and conducted 43 public ... meetings throughout the state to find out ... what Colorado residents want from their ... criminal-justice system and how it can be changed. It is estimated that each of the 600 hours to developing the proposed standards and goals.

Shortly after welcoming remarks from Gov. Dick Lamm and Donald Anderson, a representative of the Colorado Springs area Regional Council of Criminal Justice moved that the forum only review—not ratify—the standards

Ruled Out of Order

Robert Gallagher, district attorney of Arapahoe County and outgoing chairman of the State Council on Criminal Justice which is conducting the forum, ruled the motion out of order. The Colorado Springs delegation then asked to meet privately with Gallagher and officials from the Law Enforcement Assistance Administration (LEAA).

During the private meeting, there was considerable haggling over the process, that one delegate suggested the standards—many of which are controversial—are being shoved down our throats.

The Colorado Springs representa... had a year to develop the standards, those at... tending the forum had only five weeks to study them.

Gallagher and Anderson argued that very few of those complaining had bothered to attend the task-force sessions to obtain federal funds this year to implement the standards and goals, they said, at least some of the standards should be included in the state council's master plan which must be submitted to the federal Law Enforcement Assistance Administration by Sept. 30.

Dissatisfaction Mounts

None of the Colorado Springs delegates appeared satisfied with the explanations, and by the start of the afternoon session of the forum they appeared to have the support of about half of the 400 delegates ... regions.

A similar motion was made at the start of the second session and was again ruled out of order by Gallagher. This time about 100 delegates walked out ... dissidents ... led by ... Chief William ... the Denver Police Department and City Councilman Robert Isaacs of Colorado Springs — urged the rest of the forum to vote against ratification. They demanded the regional councils be given no less than six months to study the task force reports before formal ratification, regardless of the threat of losing LEAA funds for 1976.

They agreed, however, to continue to be redefined to mean "acceptance of the ification vote is called. As one of the dis- work product." It passed by 3 14-2 mar- idents put it, "Hell, I've already paid for gin.

ms room for three days."

Asked about the possible effect the ra- Rogers, who is Colorado's public defend- tification-vote boycott might have, LEAA er, said the motion was intended to give officials Joseph Mulvey and Ray Rier told the council authority to accept the stan- The Denver Post the outcome will depend dards from the forum floor but to con- on a key decision by the State Council tinue to seek reaction to them until the Sept. 30 deadline.

Other states that are pulling together Stirring some of the most heated debate standards and goals have avoided the among the delegates are several proposed public-ratification process — letting their standards which would considerably alter Although the alternative isn't as demo- the state's criminal-justice system. They cratic, it is more efficient, Mulvey con- include

—The appointment, rather than elec- tion of district attorneys

—Required citizen involvement in the investigation of misconduct by police officers

—The consolidation of several rural sheriff and police departments

—The transfer of probation services from the courts to the state Division of Correctional Services

The ratification vote is scheduled at the closing session of the forum Wednesday at the Regency Inn

Once the dissidents returned to the con- ference hall Monday, there was consider- argument over the meaning of "ratifi- with objections from the floor proposed standards and goals "cast in concrete" if the forum At the end of the session, state council- man Rollie Rogers moved that the term

by Chuck O'Reilly,

Assistant Director

It rapidly became apparent at the beginning of the symposium that there were major problems involved with this process. Just a short time into the first day's meeting approximately one-third of those in attendance rose up and walked out! The most frequent complaint I overheard was that it was felt the Standards and Goals Council was trying to ram standards and goals down the throats of everyone involved in the criminal justice system. It was stated repeatedly there was no input from the various criminal justice system associations during the standards development process nor was there any coordination of information exchange between standards and goals and those people involved in the criminal justice process. They all felt the product was the outcome of a group of high level bureaucrats who had forgotten what it was like out on the street.

In reading the evaluation reports of Michigan's and Texas' Standards and Goals Programs it appears they both had the same problem with acceptance of their products primarily for the same reasons. We don't want a failure here, and with your help we know it will be a rousing success!

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Task Force Update...

CORRECTIONS

by Hank Burgess, Chairman

In its review of many significant areas of the correctional process to modernize Montana's corrections, the Corrections Task Force has tackled the controversial area of community corrections. This concept flies in the face of the old bromide of "Lock 'em up and throw away the key!" But corrections in the community has been increasingly emphasized throughout the nation, for all by the most dangerous offenders. The underlying philosophy is that the community is where the crime occurred and the offender will probably return to his community when released. So, possibly the community is the best place for correction to occur. The standards recommend that no offender be subjected to more control than he requires and that community resources be marshalled to help the offender in rehabilitation. January, February, and March have been set aside by the Corrections Task Force to review our product and identify the five areas of major importance in Montana's corrections that need to be changed or improved. We solicit your participation in this endeavor because we want the views of people vitally interested in Montana's criminal justice system.

(Hank Burgess is a professor at Carroll College in Helena. Other task force members include: Judge Bennett, Helena; Warden Crist, Deer Lodge; Dick Donovan, Great Falls; Senator Himsl, Kalispell; Don Holladay, Miles City; Rae Kalbfleisch, Shelby; Ted Lechner, Billings; Bob Logan, Helena; Charlie McCarthy, Helena; Pat McKittrick, Great Falls; Pat Melby, Helena; Bobby Miles, Deer Lodge; Pat Reuss, Helena; Judge McPhillips, Shelby; John Thomas, Helena; Dick Vandiver, Missoula; Jack Williams, Helena; Joe Yellowrobe, Havre and Irvin Zeitner, Miles City)

COMMUNITY CRIME PREVENTION

by Gladys Elison, Chairman

The Community Crime Prevention Task Force has seen the standards and goals process as an opportunity to identify and meet problems most common in Montana. Consequently, we have used the National Advisory Commission standards for ideas and background in drawing up original standards, specifically directed to Montana Communities. We began by brainstorming the problems of communities related to crime prevention, then combined and categorized the suggestions and finally, set priorities for task force consideration. Those priorities are: Community Involvement, Community Help Services, Educational Systems and Programs, Alternatives to Crime, Trust in Government, Drug and Alcohol Abuse and Child Abuse. The task force believes the development of a strong crime prevention structure is dependent upon the development of a strong community--one whose people feel proud to be a part of it. Cooperation of community groups and individuals and the involvement of the community in planning for the future and meeting specific needs of its citizens are the first necessary steps in reducing crime. The task force meeting of August 8-9 dealt with Educational Programs and The Role of Law Enforcement as a service in the Community. September 12-13, we will meet in Glendive to consider Alternatives to Crime. Interested persons will be welcomed. Please direct comments or suggestions to our coordinator, Pam Jones.

(Gladys Elison, Missoula, is a Public Service Coordinator for District #11-Human Resources Council. Other task force members include: Lud Browman, Missoula; Lane Coulston, Missoula; Gordon Hickman, Harlowton; Graham Makin, Forsyth; Mike Micone, Butte; LeRoy Moline, Glendive; Jack Plumage, Harlem; Bill Steele, Great Falls; Joe Swindlehurst, Livingston; and Pat Watkins, Hamilton.)

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COURTS

by Judge Paul Hatfield, Chairman

On the 22nd of August, in Helena the Courts Task Force will be discussing and developing standards for sentencing. In September, in Billings, the topic will be Montana's lower court system. Both of these subjects are significant ones and the lower courts especially have proven to be of interest to many people throughout the state.

I would hope that interested individuals and organizations would attend the meetings or at least contact me or a member of the task force and express their opinions, concerns, ideas, etc. To do as many people do--wait silently until the work is done and then be vociferously negative because their points of view are not expressed--is counterproductive and extremely unfair to those who have done the work.

(Paul Hatfield is a District Judge in Great Falls. Other task force members include: Vaughan Barron, Great Falls; Judge Bjertness, Billings; Judge Coder, Great Falls; Cal Christian, Polson; Dusty Deschamps, Missoula; Tom Dowling, Helena; Judge Dussault, Missoula; Senator Greely, Great Falls; Walt Hammermeister, Conrad; Associate Justice John Harrison, Helena; Dave Patterson, Missoula; Catherine Pemberton, Broadus; P.E. Peres, Fort Benton; and Dave Shank, Kalispell)

POLICE by Gerald Dunbar, Chairman

For the past seven months, the Police Task Force has been developing standards in nine major problem areas confronted by all law enforcement agencies in the state. We began by reviewing the National Advisory Council standards and soon found that they were written for large metropolitan areas and did not fit Montana. The task force rewrote, altered, and in many cases rejected the NAC standards and initiated new ones tailored to our state and our problems. As an example, we are now writing standards to create a state crime lab. We all know the existing problems with physical evidence and these standards are the first step in correcting the situation. This program is the chance of a lifetime. We should all take this opportunity to see that the necessary changes in law enforcement are made now. Send any suggestions you may have to our coordinator, Rob Fulton, so we can be sure we are really doing the right job for Montana. So far, we're making excellent progress and are hopeful the people of Montana will accept our work.

(Gerald Dunbar is Chief of Police for Billings. Other task force members include; Paul Beausoleil, Anaconda; Dean Betzer, Billings; John Brooks, Shelby; Buzzy Davis, Dillon; Gordy Jackson, Miles City; Robert Johnson, Bozeman; Robert Harvie, Bozeman; Larry Marquardt, Glendive; Charles Murrish, Plains; Gary Olson, Glendive; Ray Roehl, Missoula; Russell Scott, Superior; John Scully, Bozeman; and Ray Stoner, Outlook.)

INFORMATION SYSTEMS

by Judge Alfred Coate, Chairman

The major points of agreement have set the scene for task force deliberations the last few months. Point number one being agreement as to the necessity of maintaining records and information for use by the various agencies of Montana's criminal justice system. Attendant to this is acknowledgement of the value of making use of the technology and theory available in establishing systems to achieve efficient usage of such records. The need to authorize by statute what and how records may be kept is seen as a paramount issue here.

Point two is a major thread which has persisted throughout task force study. This is the issue of personal privacy. Ask the task force study. This is the issue of personal privacy. As the task force continues through the study of the various components and aspects of the criminal justice system, attention to the operational basics has not clouded this overriding issue. To tailor an information system to the needs of Montana's criminal justice system, yet attain the balance between those needs and protection of individual privacy, cannot be over emphasized as one of the major concerns of the task force. It is hoped, as deliberations continue, that participation from the various entities of the criminal justice community and the citizens of the state might be gained whenever possible. All are invited to attend any of our meetings, which have been, and will be held at various locations throughout the state.

(Alfred Coate is a District Judge in Forsyth. Other task force members include: Don Anderson, Butte; Jack Anderson, Great Falls; Walter Bahr, Kalispell; Robert Banaugh, Missoula; Don Carpenter, Wolfpoint; Phil Conover, Helena; Ken Curtiss, Helena; Frank Dunkle, Helena; Bryce Johnson, Havre; Mike Meatovich, Billings; Dan Russell, Helena and James Zion, Great Falls.)

IT'S NOT FREE!

Some folks call spots on the radio "free time". Of course, if you're in the broadcast business, it's NOT free! Radio time pays your bills, salaries and taxes. Every minute you give away is a minute you cannot sell.

Nevertheless, the broadcast industry in Montana has GIVEN the Montana Justice Project $2112 weekly during May and June, and 32 of the stations continue to run our 30-second public service spots.

Also, during the first week in June, radio stations ran one-minute spots featuring Governor Thomas Judge and Attorney General Robert Woodahl, promoting "Neighborhood Crime Watch Week" and the MJP. Their contribution during that one week: $3130! That's what a businessman would have been charged for a similar statewide radio campaign.

We, at the Montana Justice Project, are deeply grateful for the contribution Montana's broadcast industry has made to our project.

Counselor Dr. Terry Trudel (in sunglasses) and Plains Police Chief Chuck Murrish (right, wearing whistle) kept watchful eyes on swimmers at the second annual law enforcement youth camp on Flathead Lake July 6-12. Murrish is coordinator of the camp, which this year was attended by 45 boys, aged 9-13 from Plains and surrounding areas. Activities included fishing, canoeing, leather tooling, decoupage and a visit to Glacier National Park. The camp operates on private donations, and counselors, who included law enforcement personnel, foresters, ministers and a doctor, all gave their time to ensure the camp's success in promoting understanding of and friendship toward law enforcement. Chief Murrish hopes to see the camp become a perennial event. This camp is modelled after a similar youth camp coordinated by Darrell Johnson of the Missoula Police Department and held for the past eight years at Seeley Lake. Murrish is a member of the MJP's Police Task Force.

-Story and Photo by Terry Hoskins
Public Information Advisor, Board of Crime Control

INTERNS TURN IN FINE WORK

Montana State University criminal justice students, Bob Burke of Missoula and Ray Quesenberry of Laurel, are spending the summer at MJP as interns, researching the history of Montana's criminal justice system.

With their help, we hope to get a better perspective on the direction we are going by taking a careful look at where we've been. They've spent much of their summer researching at the Montana Historical Society Library, the Montana State Library and the Helena Public Library.

Ray, a senior, will spend two years as a lieutenant in the Army's Military Police upon graduation. Bob, a junior, plans to go into law enforcement. We at the Montana Justice Project have found them to be just as enjoyable to have around as the original "Bob and Ray" comedy team!

Bob and Ray

MARKLE HONORED

The Helena School District has presented it's "Student Service Award" to our director, Brint Markle. Through Brint's direction, the MJP radio spots were produced and duplicated by students at Helena's Capital High.

Assistant Superintendent James Wier is shown making the presentation and thanking Markle for providing a valuable project for the students to tackle.

THEY'RE TALKING ABOUT US...

Our radio spots have brought in numerous responses from around the state. We asked for ideas and suggestions for improvement of Montana's criminal justice system and here's a sampling of what we've received:

E.P. Myrick of Butte recommends an extensive program by police in each community to mark and photograph personal property to speed return to its owner in case of theft and recovery.

Sarge Hoem of Billings suggests a different means of collecting fines from fish and game violators who have been released by justices of the peace on notices to appear. At present wardens waste considerable time seeking out such offenders and collecting fines.

Virginia Davison of Anaconda recommends six changes, among them removing legal shackles from police to permit them to do their jobs and the restoration of the death penalty.

Joanne Johnson of Livingston has expressed concern over the amount of legal representation available to poor people.

A lady in Great Falls, who asked that her name not be used, strongly objects to releasing dangerous criminals on bail. She said her husband was shot and wounded, while the accused assailant was freed on bail.

After having their car stolen by juveniles, Sheila Chase of Great Falls says she and her husband encountered uncooperative juvenile authorities and hostile parents of the kids. She adds their car, valued at $1900, was totalled when the two boys drove it over an embankment and there's little chance they'll receive restitution for it.

Bill Fredricks of Helena has offered a number of thoughtful suggestions. He syas there are too many delays in our court system. He abhors plea bargaining. Mr. Fredricks says sentencing is too soft with too much emphasis on offenders rights and too little on the rights of victims. He also feels the Parole Board releases inmates from the prison too soon.

A Helena woman, Joanne Myers called to express concern over what parents could do about drugs in Helena's Junior High.

These comments may have given you some ideas for improvement of our state's criminal justice system. If so, please write or call. We thank those who have called or written already. Your suggestions and criticisms are being given careful study by the appropriate task forces.

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VOLUME ONE NUMBER THREE EDITED BY BILL YAEGER LAYOUT: LOYCE DYE

STATE DOCUMENTS JAN 28 1976

M.J.P. COUNCIL MEETS IN HELENA

The Montana Justice Project Council During its November Meeting in Billings

The 33-member Montana Justice Project Council meets at the Colonial-Hilton in Helena on January 30-31. As the Montana Justice Project's task forces complete their work, the job of the Council is really just beginning. During its November 1 meeting in Billings, the Council heard its newly-appointed Chairman, Senator Michael T. Greely, warn them that much time and effort will be required of each council member. For Greely, the January meeting will be his second as chairman. He was appointed to the post by Governor Thomas Judge in August after Federal District Judge W. D. Murray of Butte resigned due to the press of his other duties. Greely is a former assistant attorney general, and two-term state representative, who was elected to the State Senate in 1974. He was chairman of the Legislative Committee on Standards and Goals which brought the Montana Justice Project into existence.

While it may be necessary to alter policies of the Council as it progresses, this much has been decided so far: It will have final reports from all task forces by the end of March. From that time until the end of June, the Council will review each report and insert into each, formal actions by the Council to adopt, amend or delete each proposed standard. The Council will decide later on exactly when the reports will be published.

Then, a sixth report will be drafted by the Council and directed to the executive and legislative branches of state government. It should be concise and explicit about the needs of the criminal justice system and actions necessary to meet those needs. It should contain drafts of proposed legislation and reasons why such legislation is needed in 1977. The Council's report will be an opportunity to speak bluntly to the governor, attorney general and the legislature about crime and criminal justice in Montana. The report will carry in digest form all standards adopted by the Council, "spotlighting" those few which are most needed right now and most implementable by July, 1977.

Council member, Jerome Cate, a Billings attorney, has been named by Greely to serve as chairman of a legislative committee for the Council. The committee will

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Task Force Update...

POLICE by Rob Fulton, Coordinator

The Police Task Force has progressed to the point of entering one of the last stages of its responsibility: Finalizing its report on law enforcement. After a little more than a year of research, analysis, deliberation and development, the final report containing 22 standards and 28 recommendations is nearing completion. One entire chapter, the Montana Forensic Science System, is accompanied by a legislative draft and five more specific standards will also require the attention of the council's subcommittee on legislation. The report will be ready for presentation to the general Council in early to mid-March, although one special subject study on state police is not expected to be sufficiently developed until approximately June. By and large, the Police Task Force is right on, or possibly a little ahead of schedule.

COURTS by Mike Abley, Coordinator

The Courts Task Force is still on schedule and should have its work completed by mid-March. January's meeting will probably be the last in which new material will be discussed. The February and March meetings will be for reviewing and rewriting. One topic to be discussed in January (Crime Victims) was not a part of the National Advisory Commission Report. The Montana Courts Task Force feels, however, that the victim of a crime should be given at least as much consideration as the offender and intends to develop standards to that effect.

CORRECTIONS by Paul N. Spengler, Coordinator

As the Corrections Task Force begins to wind up its work, it will determine five of its most important standards for implementation in the next three years during its January meeting in Helena. These standards will be sent to the project's Council to be considered for its report to the Governor. If these standards are approved, they will spearhead the corrections report through the added emphasis of the Council and the Governor. The task force will decide which of its standards will be most effective and productive in bringing about a needed change in Montana's corrections system. Areas to be considered include: Rights of Offenders, Sentencing, Classification, Community Corrections, Jails, Probation, Parole and Manpower. It looks as though the report will have about 125 standards and recommendations in 11 chapters. The thrust will be the reintegration of the offender into the community, without undue danger to the public. Secure custody and lengthy sentences are recommended only for those offenders who cannot be controlled in any other way. The report is controversial, in that many of the standards are liberal and depart from the punitive attitude toward offenders, prevalent with a large segment of the public today. Oftentimes change is difficult and uncomfortable, but we are optimistic that the courts and corrections people in the state will recognize the need for change and will implement our standards.

IF YOU HAVE QUESTIONS OR COMMENTS CONCERNING ANY ONE OF THE FIVE TASK FORCE AREAS, DIRECT YOUR LETTERS OR CALLS TO THE APPROPRIATE COORDINATOR. OUR ADDRESS: 1336 Helena Avenue. OUR PHONE: 449-3811. TOLL FREE NUMBER IS 1-800-332-2272. WE'LL RETURN YOUR CALL PROMPTLY.

INFORMATION SYSTEMS by Bill Strizich, Coordinator

One of the most difficult problems to confront this task force since it began study recently surfaced in the question of purging criminal offense records. The extreme positive or negative effects of a criminal record upon the individual and his rights to privacy and due process; the necessities of accurate, useful information contained in such files as used by the criminal justice system; and the control of particularly sensitive arrest records (with or without conviction); are but a few aspects of this complex question. Much time has been spent (by the task force, a subcommittee and the staff) researching the various--often opposing--viewpoints concerning this subject. This effort has been directed toward reaching a reasonable suggestion for some means to direct the use of this process in Montana. As yet, no concrete answer to this issue has been settled upon by the task force and part of the next meeting's discussion will again be directed toward this pursuit. Any ideas regarding this issue will be welcomed before or at our February 20 meeting.

COMMUNITY CRIME PREVENTION by Pam Jones, Coordinator

The past several months have been very active ones for the Community Crime Prevention Task Force. Except for July, we have held monthly meetings in a variety of locations, including Forsyth, Glasgow, Kalispell and Fairmont Hot Springs. While in Glasgow, we spent a half-day at the Mountain Plains Education Project at the former Glasgow Air Force Base. The planning and coordination behind the project (whose purpose is to build job skills and additionally prepare low income families to attain a better standard of living) is impressive! At our December meeting, we finished adopting all of our standards and recommendations. These are presently being written in final format and all 44 of them will be reviewed in its entirety by the task force at our next meeting. It will be held February 13-14 at the City-County Library in Missoula, and anyone wishing to attend is welcome. We have seven goal areas: Community Involvement, Community Help Services, Educational Systems and Programs, Alternatives to Crime, Restoring Trust and Confidence in Government, Drug and Alcohol Abuse and Child Abuse and Neglect. In developing our standards and recommendations, we have passed only those which we feel relate to problems in Montana. We have continually emphasized that active, citizen involvement is essential to the success of all crime prevention efforts, and that the responsibility for preventing crimes lies with each of us.

* * *

Lechner to Tour West Germany

The chairman of the Corrections Task Force, Ted Lechner, of Billings, will spend three weeks in West Germany this March and April. The trip, sponsored by that nation's government, will provide Lechner with an opportunity to observe and study West Germany's correctional system: prisons, courts and bastilles. Lechner, a native of Huntley Project, is court services officer for Yellowstone County. He's a graduate of Carroll College in Helena and received his master's from the University of Washington. Before entering probation work, he taught and coached for two years at Custer. Montana Justice Project Chairman Mike Greely appointed Lechner to the chairmanship of the Corrections Task Force in August, when Hank Burgess of Helena resigned due to other commitments. Burgess, who is head of Carroll College's English Department and a member of the State Board of Pardons, continues to serve as a member of the Corrections Task Force. Lechner was later named to the Montana Justice Project Council by Governor Thomas Judge.

M.J.P. Council --
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oversee the drafting of legislation and recommend final drafts to the Council.

It's anticipated that two-day meetings will be required by the Council during April, May and June to fully study and act upon all the standards and recommendations of the five task forces.

Task force coordinators are finding that historical anecdotes, gathered by the project's interns during the summer, may be best used in their chapter overviews. The use of Montana's history in the final reports was strongly endorsed by Council members during the November meeting.

The Montana Justice Project (formerly known as the Montana Council on Criminal Justice Standards and Goals) is a two-year study of our state's criminal justice system. It is funded by a grant of $445,170 from the Law Enforcement Assistance Administration to the Montana Board of Crime Control. The project will determine standards and goals for improvement in five areas: law enforcement, courts, corrections, information systems and community crime prevention. This newsletter will acquaint you with the fulltime folks working in the program. Subsequent issues will inform you on citizen participants and will keep you posted on progress of the Montana Justice Project.

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VOLUME ONE NUMBER FOUR EDITED BY BILL YAEGER LAYOUT: KAREN SEDLOCK

MJP Council Work Begins

by Brinton B. Markle, Director

The state senate chambers in Helena will be the scene of the next meeting of the Montana Justice Project Council, April 30th and May 1st. We'll get together at 1:00 p.m. the first day and continue at nine the next morning considering the reports from the Community Crime Prevention and Police Task Forces. So, we're off and running!

A quip in The New Yorker some time ago went like this:

"It's broccoli, dear."

"I say it's spinach, and I say the hell with it!"

So it goes with many issues discussed at our last council meeting on Criminal Justice Standards and Goals, April 1st and 2nd. All five task forces described to the council the reports being submitted for approval. It became quite clear during the meeting that some task force proposals will be debated heatedly.

Each task force deserves our applause. Collectively, they have proposed 234 standards and 72 recommendations for improving our state's criminal justice system. During the process, however, they reviewed well over three times that many standards, not to mention Montana's existing statutes and justice system. A substantial amount of new legislation is also being proposed.

The council will now review each report in detail and will adopt criminal justice standards and goals for the state of Montana. It will then focus its attention on the most critically needed standards and urge their implementation in a report to the governor.

I know these are busy times for everyone. However, considering the cost of this project and the opportunity it presents for improvement, it should be a priority task for each council member to be on hand for deliberations. Your attendance at the coming council meetings is vital to the success of the Montana Justice Project.

A Chance to Improve Law Enforcement

by Rob Fulton, Police Coordinator

May 1st, is Law Enforcement Day. It is also the date that the Police Task Force Report will be presented to the Council. After 18 months of deliberation, the 15 task force members have developed a product which they feel is one of the most significient reports on Montana Law Enforcement ever produced. It isn't very lengthy, but the 22 standards and 29 recommendations will more then likely have quite an impact upon the Law Enforcement Community. Correspondingly, what affects law enforcement also affects cities and towns, counties, and the state.

The council members present at the last meeting, April 1st and 2nd, heard an introduction to our report and received a written synopsis, but to fully inform those not present, a brief review of the main points follows.

The first two sentences in our synopsis captured the essence of our report: "The standards and recommendations contained in this report on law enforcement have but one goal: Professionalization. They are directed specifically at one group: Law Enforcement." With this goal in mind, we first directed our attention to training. The eight standards and eight recommendations call for mandatory minimum basic training and state reimbursement for that training, probationary officer training, in-service training, and training course certification. Training must also be available year-round. This chapter -- the report's longest -- also calls for training program development, preparatory training for newly promoted and newly assigned personnel, and interpersonal communications training, to mention just a few. All in all, Chapter 1 calls for four separate pieces of legislation.

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CHAPTER 2

The second priority of the task force contains four standards. Each is dependent upon the other three in laying the foundation for a Forensic Science System in Montana. They call for a State Medical Examiner and a State operated and financed crime lab capable of analyzing any crime scene evidence. Peace Officers must now send such evidence to the FBI lab in Washington, D.C., or to the Criminal Investigation Lab in Missoula (which can analyze drugs, alcohol, and some blood) or to the Department of Health (which handles most of the analyses of Blood for Alcohol Content.) The four standards collectively call for one legislative bill and a two-year system development budget of almost $360,000. Chapter two is complex and will require study by the council if it is to be thoroughly understood.

CHAPTER 3

This chapter deals with Peace Office Selection, a most significient process in the professionalization of law enforcement. Standardization of good, sound, selection practices are called for which will affect all law enforcement agencies in the state. The various tests, examinations and investigations can be the most critical step in separating the qualified from the mediocre.

CHAPTER 4

The overriding theme of this chapter -- Recruitment -- deals with methods of attracting qualified applicants, including those on college campuses, members of minority groups, and women. This chapter is somewhat controversial in a few of its approaches, but none of the material is untested.

CHAPTER 5

This chapter -- Education -- contains five recommendations. The difference between training and education is that training is task oriented and education is a broader learning experience. For that reason, formal peace officer education is recommended, not required as is training. The task force advocates first 30, and then 60 semester units of college credit as a minimum educational requirement for initial employment consideration. Also, there should be educational incentives such as tuition assistance and college credit for law enforcement training programs. The task force realizes, however, that the need for formal education varys from jurisdiction to jurisdiction and it avoided the temptation to arbitrarily set minimum educational requirement standards.

CHAPTER 6

Law enforcement agency planning and organizing is the subject of this chapter. Access to law enforcement service and response to emergencies 24-hours-a-day is called for. The prospects of law enforcement consolidation (two or more agencies merging), combining services with another agency, and contracted services are presented. The three standards and four recommendations in this chapter deal with a pretty tough issue: Local Control of Law Enforcement.

CHAPTER 7

Pay and Classification of Peace Officers is discussed in this chapter and four recommendations propose solutions to some of the problems in this area. Realizing that every law enforcement agency is competing not only with other agencies, but with other government employers and private enterprise as well, the task force has tackled the subjects of entry level salaries, salary classification, salary structure, and salary separation.

CHAPTER 8

Juvenile Operations is the subject of this last chapter. Since Montana crime statistics show juveniles accounting for more than one-fourth of all felony arrests, the task force developed one standard and two recommendations calling for specific training in officer-youth contact, juvenile crime and response to juvenile behavior. Agency juvenile policy and specialized juvenile investigation units are also presented.

During the 18 months the task force met, other special subject studies were made. Although they did not result in the development of formal standards and recommendations, they represent a considerable amount of work -- and tough decision-making -- on the part of the individual members and the task force as a group. Position statements on these special subject studies (diversion, plea bargaining, sentencing, alternatives to arrest, rehabilitation and parole, and others), appear in the report preface. The subjects are those that concern not only law enforcement and the rest of the criminal justice system, but all the citizens of Montana as well. The task force felt that the positions taken accurately reflect the views of the law enforcement profession and must be made.

A New Approach to Community Crime Prevention

by Gladys Elison, Chairman and
Pam Jones, Coordinator

The Community Crime Prevention Task Force began work by listing all the factors members thought might contribute to crime. We listed 28, which were then grouped into 11 topics. Other factors relating to crime were added, and some were moved from one topic to another. After much discussion, the Task Force set as its priorities the seven following topics: Citizen Involvement, Community Help Services, Educational Systems and Programs, Programs and Opportunities providing Alternatives to Crime, Restoring Public Trust and Confidence in Government, Drug and Alcohol Abuse, and Child Abuse and Neglect. These became the titles for the seven chapters of our report, which will be covered in detail by the council when it meets in the state senate chambers April 30th.

Crime prevention by, for and in the community is a concept just beginning to receive recognition, and consequently such remains to be learned. Many of the proposed standards are stated in very general terms. One reason for this is the wide diversity of size and available resources of local governments in Montana. This diversity makes it difficult to require specific programs or allocations of money, since the required money, facilities or trained personnel may not be universally available. Our standard encourages local governments to join one another in cooperative programs to provide services on the local level where one area cannot singly support the service. Stating the standards in a general way allows the local area to assess its own resources and abilities and to develop a program that can be supported by the available resources. Second, statistics and long-term evaluations are lacking for many programs related to crime prevention. No one knows, in the final analysis, what causes crime. Consequently, how to prevent crime is similarly nebulous. The task force therefore, wanted to encourage continued experimentation with a wide variety of programs, with careful evaluation of results and statistical analysis so that future decisions about crime prevention programs for communities can be chosen with more certainty as to result. Third, the task force is aware that each community has unique and specific problems. We wanted to encourage the community to identify its own problems, to set its own priorities for solving them, and to help design programs to meet their own specific problems rather than demanding uniform programs for all regardless of the felt needs of the community.

Narrowing the standards down to five for priority implementation was difficult. In some instances, however, standards from different chapters were very similar, so with some combinations and some broad generalizations, the five priority standards follow:

The first provides for emergency services for medical emergencies, for care of youth in emergency situations, temporary emergency care for mental health problems, and adequate detoxification facilities for both alcohol and drug cases.

The second priority was the creation of citizen action councils to assist local government and local law enforcement.

Educational Systems and Programs is the third priority, which includes the development of plans to use schools as neighborhood service centers. Programs should be designed not only to expand the services of the school to the neighborhood community as a recreational, social and educational center, but also to take the community into the school for the benefit of students.

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Community Crime Prevention

The fourth priority addresses the need for specific written codes of conduct for public officials, candidates and public employees, including the possible removal from office for violation.

The number of crimes statistically related to the use of alcohol or drugs is staggering. Our final priority is to mandate funding to provide adequate and available alcohol and drug education and treatment programs.

Space here does not permit detailed discussion of all of our work. The council will have an opportunity to consider the entire package produced by the task force. Anyone wishing further information may contact the Montana Justice Project in Helena.

(We don't have room for a full story on it, but Gladys recently completed a trip to the People's Republic of China. Besides enjoying the scenery and people, she also paid close attention to how that nation deals with crime. When questioned by the council, she confirmed that there is crime there. People lock their bicycles as they do here and one who breaks the law there receives corrective indoctrination!)

Task Force Summary

COURTS by Mike Abley, Coordinator

The initial presentation of the Court Task Force report was made to the council on April 1st in Helena. This presentation was made by chairman of the task force, Judge Paul Hatfield and myself. It consisted of a brief overview of the report and the task force priorities. An excellent summary of the report by Tom Laceky appeared in several of the major newspapers shortly thereafter.

The council will go into the report in depth on May 13th. At this time recommendations will be made to be included in the report prior to its presentation to the governor.

CORRECTIONS by Paul Spengler, Coordinator

The lengthiest of the five task force reports is the one dealing with corrections, which has 101 standards and recommendations. The council received a preview of this comprehensive report on April 1st as a warmup for the June 3rd and 4th meeting at the Heritage Inn in Great Falls. At that time, the council will review the 14 chapters critically to accept, reject or revise the report.

The Corrections Task Force has compiled a series of standards for the improvement of Montana's corrections system: probation, parole, institutions, jails, community corrections, diversion and other critical matters. Because sentencing begins the formal correctional process and pretrial release and detention decisions affect corrections, two chapters have been devoted to these crucial areas.

The task force has worked long and hard in writing and refining its report and is looking forward to its presentation at the June council meeting in Great Falls. I'll be detailing our standards and recommendations in a newsletter prior to that get-together.

INFORMATION SYSTEMS by Bill Strizich, Coordinator

The final report of the Information Systems Task Force is ready for presentation to the council on May 14th. A preliminary presentation by chairman, Judge Alfred Coate, and several members of the task force was done at the council's April 1st meeting.

Initial reaction to the report seems to indicate that the chapters containing guidelines for privacy and security in information systems spark considerable discussion. This is true particularly in regard to the standards that treat sensitivity classification, access to, and purging of criminal records.

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VOLUME ONE NUMBER FIVE EDITED BY BILL YAEGER LAYOUT: KAREN SEDLOCK

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EDITOR'S NOTE:

The 34-member council of the Montana Justice Project is in the midst of hearing the reports of each of its five task forces. During a meeting in Helena April 30 - May 1, it adopted -- with just minor changes -- the reports of the Police (now Law Enforcement) and Community Crime Prevention Task Forces. The council did the same with Courts and Information Systems May 20-21 in Great Falls. The last of the five, Corrections, will be considered June 3rd, also in the electric city.

It's our purpose in this newsletter, as it was in the last, to give you a comprehensive overview of each of the reports. Last issue covered Police and Community Crime Prevention. In this one, our coordinators discuss reports of the task forces on Courts, Information Systems and Corrections.

COURTS by Mike Abley, Coordinator

The report of the Court Task Force has been completed and submitted to the Montand Justice Project Council. The report is a lengthy one -- 14 Chapters -- and represents an enormous amount of work by the task force. The following is a brief summary of those chapters.

CHAPTER 1 - SCREENING: Screening is the discretionary decision to halt -- prior to trial or plea -- all formal proceedings against a person who has become involved in the criminal justice process. It is a necessary part of the system but a somewhat informal one and therefore subject to misinterpretation and misunderstanding. This chapter sets guidelines and establishes procedures for screening to prevent such problems.

CHAPTER 2 - DIVERSION: The basic difference between diversion and screening is that in diversion, formal criminal proceedings are halted on the condition that the accused will do something in return -- for instance participate in a rehabilitation program or make restitution to the victim. The task force endorses diversion and, as with screening, have established formal guidelines and procedures.

CHAPTER 3 - PLEA NEGOTIATION: The elimination of plea negotiation would be virtually impossible and in a very few cases, undesirable. It is, however, just a necessary evil and should be utilized only when absolutely necessary. Chapter three sets criteria for plea negotiation and spells out the responsibilities of those who must conduct it.

CHAPTER 4 - THE LITIGATED CASE: Chapter four is aimed at streamlining the trial process and eliminating delay. It sets a 60-day time limit between arrest and trial and eliminated inefficient and unnecessary pretrial proceedings and procedures. Disclosure by both prosecution and defense is called for early in the proceeding and evidence is limited to that which is directly relevant and material to the issues.

CHAPTER 5 - SENTENCING: The emphasis of the sentence, as with the entire criminal justice process, should be the protection of society, either by rehabilitation or, in some cases, extended incarceration. The standards in chapter five allow the judge a wide latitude in sentencing and extend his authority over the offender.

CHAPTER 6 - REVIEW OF THE TRIAL COURT PROCEEDINGS: This chapter proposes a review process designed to cover every aspect of the adjudication process, including sentencing, in one comprehensive hearing. This will speed up review, cover more thoroughly the pertinent issues, and bring some finality to the conviction process.

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Courts

CHAPTER 7 - THE JUDICIARY: Selection of judiciary by a commission is advocated in this chapter. Once selected, their skills and knowledge should be continually upgraded and steps should be taken to retain them. These steps include lifetime appointments and increased compensation.

CHAPTER 8 - THE LOWER COURTS Chapter eight represents the only area in which the task force was unable to reach a consensus. The basis difference was whether or not a judge that could sentence a person to prison should be required to have a law degree. Chapters were written representing both sides and submitted to the Council for their recommendations.

CHAPTER 9 - COURT ADMINISTRATION: Montana recently acquired a court administrator to work with the supreme court. The court task force recommends expansion of this office to create a state court administrator system. This would allow the judges to spend more time on the bench and would facilitate such things as training and new program development. A substantial degree of local control has been built into the recommendations.

CHAPTER 10 - COURT/COMMUNITY RELATIONS: In the eyes of the average person the image of the judicial process is not a very positive one. The standards in this chapter are designed to improve that image through better court/press relations, more consideration for witnesses and jurors, public information and education efforts, and improved facilities.

CHAPTER 11 - THE PROSECUTION: The emphasis of chapter eleven is the development of a full time, professional, prosecutor. This entails the combination by some counties of their prosecutors offices, more realistic wages, ongoing training programs and suitable staff and facilities.

CHAPTER 12 - THE DEFENSE: As with the prosecution the emphasis in this chapter is the creation of a full-time professional defender, with adequate staff and facilities. A state defender project is recommended, with county or regional offices as required by case load.

CHAPTER 13 - JUVENILES: In our discussion of juvenile problems we felt that Montana's new Youth Court Act more than adequately covered the matter. On recommendation of the Montana Probation Officers Association we confirmed our support of the sections of that act we felt most pertinent.

CHAPTER 14 - CRIME VICTIMS: The victim has probably been the most neglected person in the criminal justice process. The gist of this chapter is the recommendation of a crime victims compensation program to alleviate that neglect. The program would award cash benefits to certain victims of crimes to cover such expenses as loss of wages and medical bills. Several states have such programs and, pending results of a study to take place within the year, it appears feasible for Montana.

INFORMATION SYSTEMS by Bill Strizich, Coordinator

The development, use, and control of Information Systems for Criminal Justice in Montana has been the subject of study by the Information Systems Task Force over the last year and a half. The complexity of the problems put before the task force made their job a difficult one. The technological nature of many of the issues facing the task force, as well as emphasis on the moral-ethical questions surrounding data collection and protection of individual rights to privacy produced more than enough fuel for discussion during task force deliberations. The standards and recommendations found in the task force's report are aimed the establishment and use of one of the most powerful tools available to our criminal justice system. Without efficient, effective information systems our system of justice is often forced to base decisionmaking of every kind upon intuition and a "best guess" approach.

The seven chapters of the report contain standards and recommendations directed at five areas of pursuit, these being:

SECURITY AND PRIVACY ADMINISTRATION: The task force found that legislation must be written establishing security and privacy safeguards for all criminal justice information systems. This legislation should contain basic standards relative to these protections and establish a security and privacy review board to further establish rules and regulations as unique situations and changing technology demand. This review board should be enabled to exercise these broad supervisory and review powers over all criminal justice information systems.

COORDINATION OF SYSTEM DEVELOPMENT AND USE: The task force has called for Montana to authorize an agency of state government to advise and coordinate the development, administration and operation of the state's criminal justice information systems at all jurisdictional levels. Authorization should also be given a statistical analysis center to collect, analyze and disseminate data describing the extent of crime and the performance of the criminal justice system.

INFORMATIONAL NEEDS OF SYSTEM COMPONENTS: Montana should authorize development and operation of information systems to serve the needs of the three components of the criminal justice system: law enforcement, courts and corrections. Minimum standards of performance, efficiency and quality should be established to insure the effectiveness and usefullness of all systems.

CRIMINAL HISTORY/OBTS: Montana should develop an information system capable of providing for the rapid efficient identification of a criminal offender, as well as supplying criminal background and current status information for such an individual. The system should also be able to follow the offender from initial contact, pinpointing each transaction with the various components of the criminal justice system and the resulting disposition, until exit from the system. This tracking will enable statistical analysis of the entire criminal justice process.

MANDATORY REPORTING: Montana should upgrade and improve its statutes authorizing criminal justice agencies to report and collect information. Mandatory reporting legislation is necessary to enable the Department of Justice, Supreme Court, the Corrections Division of the Dapartment of Institutions and all individual criminal justice agencies to collect information for the development of statewide criminal justice information and statistics systems.

The interdependance of the various sections of the report can not be overemphasized. The task force urges that, as their report is read, considerable attention be paid the interrelated nature of the various sections contained therein. For example, the privacy and security regulations outlined in the report have little or no meaning unless the systems the regulations are aimed at are developed and operated in an efficient effective manner. Conversely, the operation and use of those systems would have very little value if the privacy of the individual citizen is not vigouously guarded.

CORRECTIONS by Paul N. Spengler, Coordinator r

The voluminous report of the Corrections Task Force will be reviewed by the Montana Justice Project Council on June 3 at the Heritage Inn in Great Falls. If more time is required, the review will be completed on June 4. The 81 standards and 21 recommendations cover the entire gamut of the correctional system. The report is progressive, as the task force set out to establish practices to measurably improve corrections in Montana.

The focus is on the reintegration of the offender into the community, without an undue danger to the public. The first standard, which states the policy of corrections, sets the tenor of the report. It recognized that protecting the public is the foremost correctional goal. The second provision of the standard states that defendants and convicted offenders should be controlled with the least drastic measures, consistent with public safety and their needs. Confinement, which is the most drastic disposition for an offender and the most expensive for the public, should be the last alternative considered. This recognizes the limited resources of corrections and that most offenders need not be incarcerated to be controlled. The intent of the task force was to reserve correctional institutions for those who could not be dealt with in any other way, or if public outrage at their crime demanded incarceration. In short, the policy of corrections specifies that the public is best protected by a correctional system characterized by concern, diversified programs and reintegration concepts as well as punitive measures.

* * * * * * * *

The five priority areas of the Corrections Task Force carry equal weight, and are standards that are considered the most important in the report.

The first area covers five standards: Unifying Corrections (Standard 1.2); The Policy of Corrections (Standard 1.1); Employment of Minorities; Ex-offenders and Women (Standards 13.1 - 13.3).

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Corrections

Despite the formation of the Corrections Division in the Department of Institutions this year, the task force believes that more work and legislative consolidation is required if Montana's corrections system is to be truly unified. Hence the standard on unification. The Policy standard was discussed above, and the three standards on employment recognize that minorities should be recruited to give corrections the proper perspective. Clearly corrections should open its doors to ex-offenders to give more than lip service to the concept of the offender's reintegration into the community.

DIVERSION (Chapter 3) This chapter contains three standards that call for standardized diversion in Montana. Diversion is defined as halting the criminal justice process after the apprehension of a suspect but before adjudication. The alleged offender is then processed into a program outside the criminal justice system. The task force considers diversion as one of its priorities because it frees the limited resources of the courts and corrections to deal with those accused of serious offenses. Diversion is intended for misdemeanants, juveniles and first time offenders who would benefit from an alternate program outside the criminal justice system. It is a voluntary program, aimed at the guilty. If the suspect does not successfully complete the terms of his diversion agreement with the county attorney, prosecution is continued.

SENTENCING THE NONDANGEROUS OFFENDER (Standard 5.1) This standard provides that offenders who are not a substantial danger to the community should be sentenced to no more than five years for felonies other than murder. (Standard 5.2, Sentencing to Extended Terms designates sentences of up to 25 years for the persistent or dangerous offender with a recommendation for no parole until a minimum term is served). The task force selected Standard 5.1 as a priority because one of its sentencing provisions calls for restitution to the victim of the crime. This complements the Courts Task Force Report Chapter 14, Victim Compensation.

EXPEDITING CRIMINAL TRIALS (Standard 4.5) This is offered to the courts in the spirit of cooperation in a system that is becoming increasingly unified. Because speedy and certain justice appears to deter criminals more than the threat of severe punishment, the standard calls for trying an accused felon within 60 days after arrest and alleged misdemeanors within 30 days. This complements the Courts Task Force Standard 4.1, Time Frame for Prompt Processing in Criminal Cases.

PUBLIC INFORMATION (Standard 7.3) Montanans must be informed about their correctional system if they are to make educated decisions about the process. This standard will help make corrections more accountable to the public. It should not be misconstrued to be a public relations ploy to enable correctional officials to look good. The task force intends that an effective information program will tell all, the good with the bad, and the failures as well as the successes. Only then can the public understand the role of corrections in Montana's criminal justice system.

The Public Policy of Corrections and the five priorities should indicate to you the essence of the report. As noted earlier, it is lengthy, with 14 chapters, that cover topics from manpower and administration to the rights of offenders and community corrections. Members of the Corrections Task Force will be present at the meeting to discuss the report with you and answer any questions you may have concerning the standards and recommendations.

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VOLUME ONE NUMBER SIX EDITED BY BILL YAEGER LAYOUT: KAREN SEDLOCK

It's Nearly Completed !

by Brinton B. Markle, Director

Well over 100 Montana citizens have worked for nearly two years to develop the standards and goals adopted by the Montana Justice Project. Task Force and Council members spent many days every month tailoring standards to fit Montana's criminal justice needs.

The final product -- five task force reports and one legislative report -- contain more than 316 standards and goals which will, if implemented, without question improve the function and processes of justice in Montana.

THE LAW ENFORCEMENT REPORT contains 52 standards and recommendations concerning recruitment, selection, training and education of peace officers; law agency planning, organization, pay and classification; juvenile operations, and; the need in Montana for a forensic science system.

THE COURTS REPORT contains 61 standards and recommendations concerning screening, diversion and plea bargaining procedures, including the litigated case; sentencing practices; review and appeal proceedings; the judiciary; the lower courts; prosecution, defense and court/community relations, and; an overall system of administration of the entire judicial system in Montana.

THE CORRECTIONS REPORT contains 101 standards and recommendations covering a wide variety of correctional concerns, including the rights of offenders; diversion and pre-trial release and detention; classification of offenders; community correctional programs; jails and major institutions; probation, parole and manpower standards along with organization and administrative standards for a unified corrections system.

THE COMMUNITY CRIME PREVENTION REPORT should be of use in each of our cities, towns and counties. The report contains 44 standards and recommendations concerning citizen involvement, community help services and; educational systems and programs which may provide alternatives to crime. Child abuse, drug and alcohol abuse and methods to restore public trust and confidence in government are also strongly addressed in the report.

THE INFORMATION SYSTEMS REPORT contains 58 standards and recommendations designed mainly to supply information and data to other parts of the criminal justice system such as police, courts and corrections information systems. It is concerned with the development in Montana of a coordinated information system, and with privacy and security safe guards and purging procedures.

One difficulty which future users of these reports may encounter is this: Many concepts and standards do not and cannot "stand alone." One standard may rely heavily upon the implementation of other standards. The reports and standards are in many instances closely woven together and should be reviewed as a whole when appropriate.

THE LEGISLATIVE REPORT will contain about a dozen legislative drafts concerning material the Montana Justice Project felt should receive the immediate attention of our legislature. The forensic science system, plea bargaining, the board of pardons, alcohol and drug abuse funding and mandatory crime reporting are but a few of the bills to be proposed.

Continued on page 2 --

Continued from page one --
It's Nearly Completed!

We can all take satisfaction from our products, and from the fact that collectively our efforts have allowed the project to be completed on schedule.

I also believe we all know that our standards do not create the "perfect" criminal justice system. The system will never be perfect. As we try these ideas, and then evaluate their success, that alone will cause the need for further review, study and planning.

Some would say that developing these reports and standards was like writing them on water. Don't you believe it! Some standards have already been acted upon and implemented by both state and local governments and agencies. Some have been cited in court opinions. Some will be acted upon by the 1977 legislature. Many of them will be demanded by the citizens of Montana in the future.

In closing, I would like to thank each person for his and her contribution, effort and support given to this project.

You Made It Possible !

The Montana Council on Criminal Justice Standards and Goals, better known as the Montana Justice Project,is about to become history. It's the first step toward improving all facets of our state's criminal justice system. The work of the project has been detailed and voluminous and has highlighted many needs and suggested many possible solutions.

The work of the Montana Justice Project would not have been possible without the efforts and interest of many citizens. Space here does not permit recognition of everyone, but the following are most deserving of our thanks:

To all who served on the council and task forces.

To the various agencies and departments who sacrificed to permit their members to serve with the council or task forces.

To the folks who offered professional assistance.

To the MSU & UM interns for their help: Bob Burke, Ray Quesenberry, Dan Piedalue, Klaus Richter and Don Molloy.

To the many associations which have expressed interest in the Project's work.

To Dr. Rex Myers and Mrs. Harriet Meloy of the Montana Historical Society Library.

To the cities and counties which hosted our meetings for their fine hospitality.

To Mr. Tom Malee and his Helena Capital High students for production of radio spots.

To all radio stations which provided the Project with thousands of dollars worth of free air time to tell its story.

To all citizens who responded to our pleas for input.

To the news media across the state which kept the public informed on our work.

To all state agencies, especially the Board of Crime Control and the UM Law School, for their outstanding assistance.

To Great Falls Police Chief Jack Anderson and his department for permitting members to ride along in police cars during a meeting in Great Falls.

Finally, to Mr. Stan Lynde of Red Lodge for the use of his Rick O'Shay illustrations to liven up our final reports.

Now It's Up To You !

by Charles M. O'Reilly, Assistant Director

All five task force reports -- Law Enforcement, Courts, Corrections, Community Crime Prevention and Information Systems -- have been adopted by the Council. Lively, intelligent and productive discussion prevailed during the review of the reports and nothing was rubber-stamped.

There were amendments, as well as rejections, of many standards and recommendations.

The value of the various associations' representation along with the professionals' and citizens' input on our Council was readily recognized. The diverse viewpoints and area expertise of the members on the Council contributed greatly to the decisions that had to be made.

The results which (barring any further printing problems) will soon be in your hands will provide you with the best opportunity yet to speak out on improving our criminal justice system. I am not foolish enough to believe that you will agree totally with everything in every report, however, I do believe that you owe it, not only to yourselves, but to your professional associates and to the citizens of this state, to speak your piece -- pro or con.

We, and by we I mean the Montana Justice Project, will be totally disbanded by October of this year so it will be up to each and every one of you to grab the ball and run with it. Don't let these reports gather dust on your shelves. Become familiar with them and if nothing else at least protect your own interests.

I have heard, through all of my years working within Montana's Criminal Justice System, many complaints, gripes and criticisms that all end with -- "Why doesn't somebody do something about this?" Well folks, now YOU have a chance to do something. We were just the front line trying to clear the hole. You are the running backs that will have to carry the ball.

I urge you once again, to make your views known, whether it be through your associations or as an individual.

If you have questions or would like clarification of any point in the reports please contact us and we will do our best to assist you.

Also I would like to take this opportunity to express my thanks to everyone involved with the project, both directly and indirectly, for their assistance and support. I think that you can all be proud to have been a part of what I hope will be a milestone in the improvement of Montana's Criminal Justice System!

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